



ADAM WRIGHT



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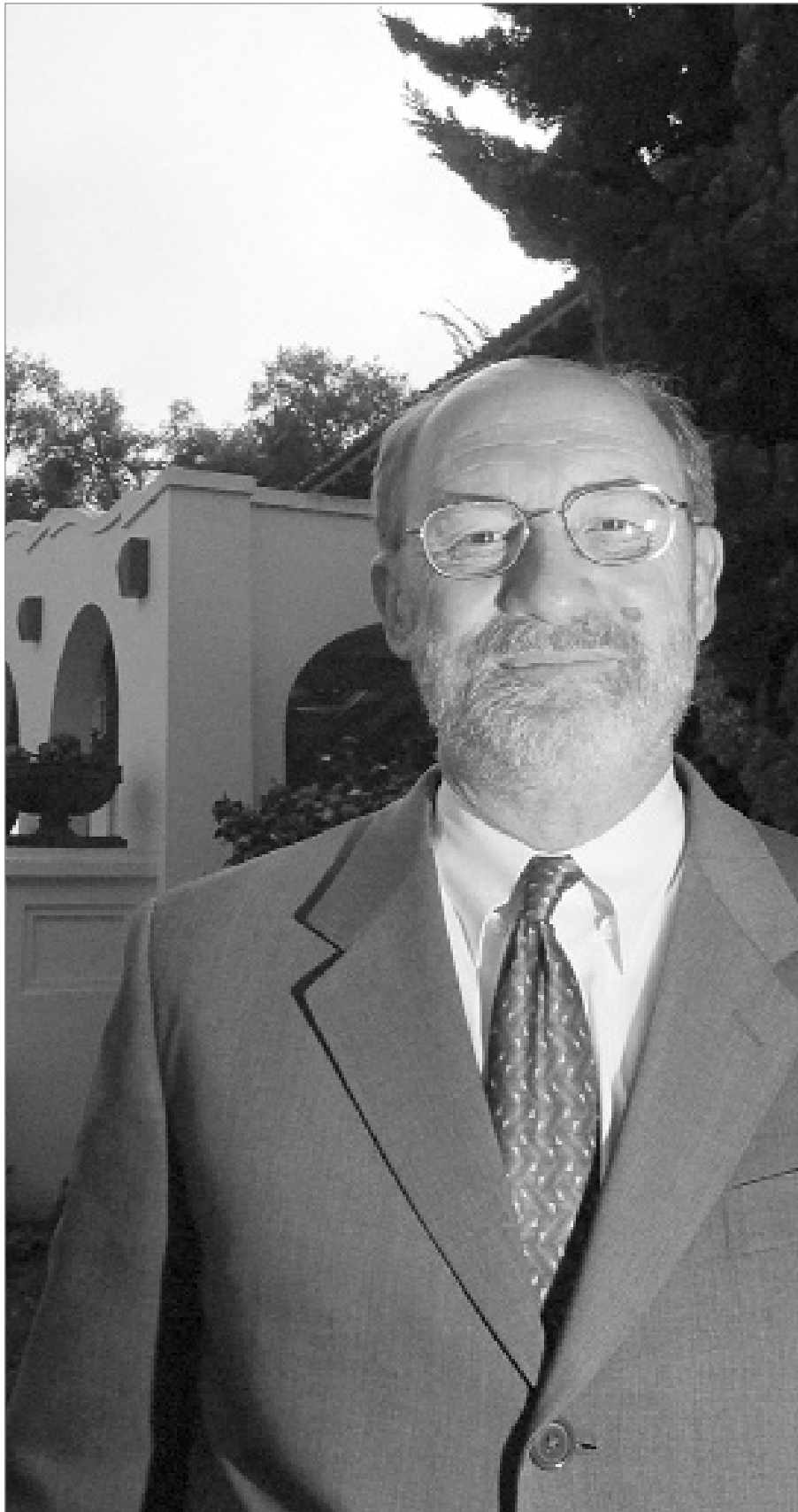
By
Laurel Chesky

Gay marriage. The budget crisis. Bush's roll back of environmental protection. California is steeped in tough times. *GT* talks with Assembly-member John Laird about how he's tackling the big issues in Sacramento.

John

Laird has been a political powerhouse in Santa Cruz County politics for 25 years. But two years ago, the former Santa Cruz mayor finally got his shot at the big time. After waiting patiently as Fred Keeley served his time in the California Assembly, Laird ran unopposed in the 27th Assembly District Democratic primary in March 2002. The following November, he crushed his Republican challenger and became, at the same time as Mark Leno of San Francisco, the first openly gay man to serve in the state Assembly, where he represents coastal Santa Cruz and Monterey counties. In Sacramento, Laird has distinguished himself as an effective lawmaker, chairing three committees and writing legislation to further environmental protection, education and civil rights. Earlier this month, Laird again ran unopposed in the Democratic primary, and is poised to win his seat again in November. (He'll run against Republican nominee Jack Barlich, the mayor of Del Rey Oaks in Monterey County.) *GOOD TIMES* caught up with Assemblymember Laird recently to discuss some of the hot issues facing the state.

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Good Times: In your one year and three months in the California Assembly, what is your proudest moment?

John Laird: I'm very proud of the fact that I hit the ground running and I've been successful at what I wanted to be, which is to be effective on a number of issues that have been important to me, and to represent the interests of an incredibly active district very well.

But one particular proud moment in the last session had to do with a Bush environmental rollback. For over two decades if you upgraded in the country a plant, a manufacturing plant or similar business, you had to install state-of-the-art air quality equipment. So that anytime a plant was upgraded, the air was upgraded as a result of it. And he (President Bush) issued a regulation that completely weakened that, and that meant only a fraction of plants would have to do that when they upgraded.

And so [state Senator] Byron Sher introduced a bill in the Senate that would basically block that rollback in California; that would keep [the tougher regulation] in place. The Senate was the easiest of the two houses to get it by, and the Assembly was tough. So whenever you have a bill that originated in the other house, you have to look for a floor manager in the second house, and so I was the floor manager of that bill in the Assembly. And I worked for a number of weeks with the League of Conservation Voters to line up votes, and knew it was going to be close. It took us a number of weeks, and when we gave the speeches and put it up to vote, it only got 38 votes and it needed 41. And I put it on call, which means you hold the vote while you're still in session, and went and managed to round up the other three votes and passed it with exactly 41 votes and that is now the law in the state. That was one of those moments—I was immensely pleased. It just kept me going for a period of time.

One of the other ones was when we passed AB 205, the domestic partner law. I just felt it was one of those times. Sometimes you don't know what you're going to say when a debate breaks out, and in that one I basically said to [Assemblymember] Jackie Goldberg, the author, I'm going to put my microphone up and I know I'll get recognized about 10 speakers in [to the debate], and I'm just going to be ready to deal with however the debate is going. By the time it rolled around I knew what I wanted to do.

People said this is a violation of Proposition 22, which was the Knight Initiative. [Voters passed the Knight Initiative in 2002. It made it a law that the state only recognizes a marriage between a man and a woman.] Everybody was talking about it in very small terms, and this was historic, and so I spoke about exactly why this was not a violation of Prop. 22 and why this wasn't marriage.

And then I talked about the sweep of history, and how in the 1880s Californians voted to not let Asian Americans own land, and how in the 1940s Japanese Americans were interned, and how in the 1960s the Fair Housing Act was voted down statewide by California voters overwhelmingly. And in each case, that was fixed in the law because Californians realized that they had been on the wrong side of history. And right now we have one of those rare moments, to put the Legislature on the right side of history. And when I sat down it was a very quiet moment, and I knew that I had given a speech that had moved the body.

GT: Turning to the state budget, now that propositions 57 and 58 have passed, we're still in the hole. What do you think is going to happen in terms of balancing the budget, and what do think should happen now?

JL: Well, the overall fix for the budget is refinancing the accumulated debt, making some substantial cuts, and adopting new revenue sources as part of the mix. And the voters approved the refinancing of the debt with Prop 57. Everybody agrees there has to be cuts, and there's still disagreement on the new revenue. So right now, as we head into the June 30 deadline for adopting a budget, I think we have to look at the efficiency of government. We have to look at where are the least painful cuts—and I don't think there

are any past a certain minimum level. Then we have to ask if revenues are part of the picture. And right now, on a bipartisan basis, we supported the bond. On a bipartisan basis, we are looking at cuts, and we haven't gotten to that bipartisan agreement on revenues.

GT: Although the governor, in his budget plan, has proposed increasing fees, such as for state park admission and university student fees. Do those increases add up to enough to fill the gap?

JL: It adds up to enough to probably keep state parks open, and the students fees add up, but not enough to come near keeping major cuts from happening to higher education. In each instance, through upping fees, some people get priced out of state services. People can be priced out of going to higher education, people can be priced out of going to state parks, and that has always been the commitment of California, that everything is accessible. And we could be lowering the accessibility of things to California citizens.

GT: But the governor won't raise taxes.

JL: Not yet, and I think that's the thing. So we have a broad commitment to the future of California. I think the issue is investment. In the 1960s it was economic development—to

invest in roads and water and health care and higher education. And we have the fifth largest economy [in the world] because we made that investment. Now we're facing the same question, and nobody wants to begin a business where there are crappy roads and poor schools and no good water and bad health care.

GT: But you've got to have the money to invest.

JL: You do, but it's the chicken and the egg thing. For community colleges, for example, it costs \$8,000 to educate somebody over two years to get an AA degree. And six years ago, in the last study I'm aware of, the difference in earning power over your career, between having a high school diploma and an AA degree, was \$300,000. So you invest \$8,000 in people, and they make \$300,000 more over their life, and they more than pay back that investment in taxes. And so, yes, it takes money to get things, but over the long term you are going to have more of a payoff in what just happens to be the best public policy, and best for our social health and equity.

GT: But if you're talking about that kind of investment right now, taxes need to be raised.

JL: They do. And I think for the confidence of the public, they need to see that the debt is going to be paid off over a relatively short amount of time. They need to see that people are going to deal with anything that's inefficient about government. They need to see that there's going to be an equal number of cuts, even though they'll be painful, to then realize that investment is part of it.

GT: How can local government be protected from state budget cuts and the further raiding of local tax dollars to fund state government?

JL: It's not just the vehicle license fee backfill that has been protected by the governor. His budget proposes to reach into the other pocket and pull back [from local cities and counties] \$1.3 billion of property taxes statewide. And it's not just the vehicle license fee and property tax that local governments depend on. There's law enforcement money, there's health money, there's

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road money that is all slated to be pulled back as well. So even if we convinced the governor, as I want to do, not to take the property tax money, there are other places that local government will be hit.

I would like to see a long-term, fundamental restructuring of the levels of government and the revenue process so there are dedicated revenue streams that, by law, go to government at the local level, and the state figures out how to finance itself and you don't touch what goes directly to local government. ...And local government shouldn't have to look at what the state is going to do every year to find out if they're going to survive to the next year.

GT: What's ironic is now local governments are being forced to raise taxes, and in a regressive way, such as the new sales tax increase in Santa Cruz.

JL: Yes. And if you raise fees [as the governor proposes] by over 50 percent in a two-year period to a University of California student, you are taxing that family. And if you are raising state parks fees of low-income families, you are taxing that family. And so through a fee structure, people are being taxed in a greatly increased way in California. It's policy decision not to do it in a broad-based way that shares it equitably across the board. And that's the unfairness of what's happening.

GT: How much of a blow was it to lose Proposition 56 (which would have lowered the required number of votes to pass a budget from two-thirds to 55 percent of the Legislature)?

JL: It's a disappointment to basic good government, and I think the campaign wasn't direct. We're one of three states, along with Arkansas and Rhode Island, to require a two-thirds vote. Forty-seven states do it another way. And the advertisements and the sound bites, the food fights among the legislators—people don't understand what is really going on in public policy. If it takes two-thirds to approve a budget, it's basically whatever it takes to get out of the room, as opposed to a coherent budget that's balanced. I think one of the reasons there was \$11 billion in accumulated debt was you have the two-thirds requirement, and you could never get to a solid agreement on a sound budget in the years before I got there.

GT: It seems like the two-thirds requirement would force compromise, but it hasn't worked that way.

JL: It basically leads to the lowest common denominator as opposed to genuine compromise. And the lowest common denominator was to refinance the debt, make cuts, put off \$10 to \$14 billion of the problem to the next year.

GT: And don't raise taxes.

JL: Exactly.

GT: Reapportionment divided the county and split the Monterey Bay into two different state Senate districts. This month, Santa Cruz County voted for the first time as part of the new 11th and 15th Senate districts. Some people believe the area's representation in Sacramento will suffer as a result. Do you see that as a problem?

JL: I see it as a problem, and in this case it's a personal problem, because if I'm re-elected to the Assembly in November, I will be the only legislator representing the full Monterey Bay Area, where historically there's always been a senator and always been an assemblymember, and you can work in tandem on both sides. It's put a big burden on me, as the only representative, to carry the needs of the area and speak with one voice. In the new [legislative] session we'll have one senator who represents Castroville who's from Merced. We'll have a senator that represents the Aptos Hills who's either from San Luis Obispo or Santa Maria. And we'll have a senator that represents Santa Cruz who is from Palo Alto. And while they're all good people and I will work well with them, it's just different if you've lived somewhere for 35 or 40 years and intuitively know the issues and have long-term relationships in giving good representation.

GT: OK, now I'd like to go into the gay stuff.

JL: (Laughter.)

GT: You knew that was going to happen.

JL: Inevitably.

GT: When you were elected in 2002, you and Mark Leno became the first openly gay men in the Assembly. Along with three lesbian lawmakers, you formed the first LGBT Caucus in the Legislature. What's the importance of that?

JL: I think the importance of it is, that with any group, when you have a seat at the table and you're fully visible, you're just much more effective. I always thought one of the reasons that nondiscrimination legislation [for gays] didn't pass for the two decades that it was being considered is that there was nobody sitting at the table in Sacramento. And now there are five representatives, and, interestingly enough, Sheila Kuehl is chair of the Assembly natural resources committee, and I'm chair of environmental safety, and Mark Leno is chair of public safety, and Chris Kehoe has been speaker pro-tem, and Jackie Goldberg is chair of the Assembly education committee.

GT: These are big, important committees that all of you are chairing.

JL: Yeah. It's not just that we are five people invisible, it's like we all have some clout. And so the four-bill package of the caucus that was passed last year was one of the most comprehensive pieces of legislation [furthering gay rights] that had been enacted by any legislature in the United States not under court order, and so it's been very effective.

And I think, too, just individually—and I've said it plenty of times before—I just feel being the best legislator for my district and on a whole host of public policy issues is the best way to break down stereotypes. That's been part of my goal. And I think I've made a lot of good friends on both sides of the aisle [Republicans and Democrats], and I just think it's changed what some people might have had as their opinion of somebody who's gay, because I'm out there with legislation on labor, on the environment, on transportation, and just many things where I was successful. I think a lot of legislators expected single-issue people, and they're kind of surprised.

I was in elected office for 17 years before I got to the Legislature, and that's more than all but 5 or 10 percent of the members of the Assembly. So, it's sort of like, geez, he's got all this experience. I can almost always draw on some experience, and I think it surprises people.

GT: Surprised that you actually know what you're doing?

JL: Yeah. I always say, well, you know, when I was a mayor for the second time in Santa Cruz, somebody was arrested four months running in almost every single City Council meeting, and so I find the Legislature to be a very peaceful place. Any they always laugh. The other thing I say is, well you know back



home, some people consider me a moderate, and they're always dumfounded. One guy from Orange County said, who are those people? I've got to meet them.

GT: A lot of work has been done in gaining protections and rights for same-sex domestic partners in California. Are you afraid those advances will be compromised or destroyed by San Francisco and the gay marriage issue?

JL: I was worried about it at the beginning, but now many polls are emerging that show, while Californians may be opposed to gay marriages, and by not a big majority, they strongly support domestic partner relationships, and they even strongly support civil unions. I was on the floor of the Assembly the other day having a conversation with three other legislators, and I said, isn't it amazing that same-sex civil unions is now the conservative position? And that turns out in the polling to be true. So while I was apprehensive about it, I'm not as much on that score.

But when you rise to the level of marriage itself and take away what people feel about civil unions or domestic partnerships, I am worried that sort of a very strong advocacy of [gay] marriage will jeopardize the ability to defeat a constitutional amendment against same-sex marriage. And while I am personally

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for same-sex marriage and wish to pursue that in a successful way, for me, right now, my first priority is protecting AB 205, domestic partnerships, and ensuring that a constitutional amendment would be defeated.

GT: The fear being that a constitutional amendment banning gay marriage would invalidate domestic partnership laws?

JL: Some of the proposals in Washington actually include [nullifying legal rights for] domestic partners in the constitutional amendment, which I think actually would make it a real hard road to get to approval in 38 states. But conversely, if any constitutional amendment is approved, then it takes 38 states approving overturning it, which is something that I don't necessarily see in my lifetime. So it's very important to keep that constitutional amendment from being approved.

GT: You've said before that you feel confident 38 states wouldn't approve a constitutional amendment banning gay marriage.

JL: I feel 38 states wouldn't approve it if it included domestic partnerships or civil unions in the ban. But if it was straight-out a ban on gay marriages, I think it's going to be a dogfight all the way along. I think they could get to 30 states relatively easily. The question is what would happen in the last 20.

GT: If California has come so far, and we've got AB 205, why push for gay marriage?

JL: Actually I don't feel like I want to push for it in this [legislative] session. I feel like it's just a strategic thing, and it's another place where a long view is very valuable. Just 30 years ago it was illegal to be gay in all 50 states. Just 30 years ago we had the first two openly gay elected officials in the country. Just 20 years ago we had the first domestic partnerships of any jurisdiction in the coun-

try. Until just 10 years ago, we only had one state that would ban nondiscrimination in the workplace if you were gay or lesbian.

So it's been major progress in a short amount of time, and my take is that people change their views and you can consolidate your gains, and you're strategic about how you move. And I think that's just how this whole [same-sex marriage] issue needs to be played.

In Santa Cruz, 17 or 18 years ago we did domestic partner benefits for city employees. And we did it in a way that it wasn't referended to the voters. And by the time I left the City Council a few years later, we had 5 per-

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cent of the city employees signed up, because it was [for] both same-sex and opposite-sex [couples], and it was no big deal. And so I think people accepted it and understood it. You shouldn't pay your employees differently based on their private legal status. I think people just need to see that as progress.

If you look at the polling of gay issues, it's people who are older than me that strongly have a problem [with gay marriage]. And if you look at the age group of 18 to 34, people do not have problems. In fact, they're overwhelmingly in favor of legal sanctions to gay relationships. And so, my take is just keep moving ahead and don't do anything that closes any doors permanently.

GT: Work within the system to change it—that's what you've done.

JL: Yeah. I mean it's hard to believe it was 20 years ago last November that I was elected mayor and was on the front page of many papers in Northern California [for being one of the first openly gay mayors in the United States]. And yet that happens now in other places and it's blips on the screen. So I say be strategic.

GT: Do you support the Santa Cruz County Board of Supervisors' decision to ask the county clerk to marry gay couples?

JL: I think it's important to make a statement, because this is about what is the community standard. And I think [Supervisor Mardi Wormhoudt's] resolution basically says the community standard in Santa Cruz County would be to honor the relationships that are between same-sex couples. And whether [County Clerk] Richard Bedal feels comfortable being the next jurisdiction to take the leap or not, I think it's important just to make that statement. Santa Cruz County voted overwhelmingly against the Knight Initiative, and so when the voters here on a countywide basis were asked to take a position on this, it's very consistent with the position Mardi is asking the Board of Supervisors to take.

GT: Any parting thoughts?

JL: I really look forward to going to work everyday, and I really have fun doing this no matter how hard it is. And one of the reasons is that this is just a wonderful district to represent. I have a picture of the Big Sur coastline at sunset with a wave breaking, framed in my office, and there are times that there are certain lobbyists sitting between me and that picture, when I just sort of stare off at it, and study it and dream about it. And there are even times when people come in and argue against environmental protection and I sort of point to that picture and say, 'That's what you're working against.' That's what everybody in my neck of the woods wants to make sure is protected for all of time. And it's just a pleasure to be able to be effective for things like that. ■